

SENATE SUMMARY OF HOUSE AMENDMENTS

**SB 102 By Senator Duplessis**

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

SPECIAL DISTRICTS. Provides relative to the East New Orleans Neighborhood Advisory Commission. (8/15/09)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Technical amendments.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

Present law defines "area" as the neighborhoods in New Orleans East that are represented on the commission membership.

Proposed law defines "area" as the area within the boundaries of the industrial canal to the west, the intracoastal canal to the south, the St. Tammany Parish line to the east and Lake Pontchartrain to the north.

Proposed law defines a "multi-family development" as any building that is designed to house more than one family, including, but not limited to duplexes, condominiums and apartment buildings.

Proposed law defines a "commercial development" as all facilities and improvements used for commercial or other nonresidential purposes.

Proposed law defines a "large development" as any development other than single-family developments, multi-family developments or commercial developments.

Present law provides that the commission area shall include each neighborhood in New Orleans East that is represented on the commission by the chief executive officer and appointed representative of the neighborhood organization or association.

Proposed law provides that the commission area shall include each neighborhood in New Orleans East that is represented on the commission by the president or appointed representative of the neighborhood association or organization.

Present law provides that the commission shall consist of the chief executive officer and one representative appointed by the chief executive officer from each duly organized organization or association representing single-family homeowners in New Orleans East which requests membership on the commission.

Proposed law provides that the commission shall consist of the president of each neighborhood association or organization or an appointed representative of that neighborhood association or organization. The party representing the neighborhood association or organization must submit an affidavit attesting to their status as president or being an appointed representative from their respective organization or association. Proposed law further provides that the commission shall also consist of two at-large members elected from the commission area.

Present law provides that the term of each commission member who is an appointed representative of an organization or association shall be two years. A member may be appointed for a succeeding term; however, no such member shall serve more than three consecutive terms.

Proposed law provides that the term of each commission member who is a president of a neighborhood association shall be the same as his term of office for the association that he represents. Proposed law further provides that the term of each commission member who

is an appointed representative of a organization shall be the same as the term of the president of the organization that appointed him. Proposed law provides that the term of office for the elected at-large member shall be two years and that such members shall not be term limited.

Present law provides that no elected official in the legislative branch of state government may serve as a member of the commission.

Proposed law provides that no elected official may serve as a member of the commission.

Present law provides that each year, the commission shall elect from its membership a chairman, vice chairman, secretary, and such other officers it deems appropriate.

Proposed law provides that every two years, the commission shall elect from its membership a chairman, vice chairman, secretary, and such other officers it deems appropriate.

Present law provides that special meetings may be called by the chairman or by the executive board and shall be called by the chairman upon written request of at least 10% of the total commission membership.

Proposed law provides that special meetings may be called by the chairman or by the executive board and shall be called by the chairman upon written request of at least 10% of the total number of commissioners.

Present law provides that the presence of at least 40% of the total commission membership shall constitute a quorum for the transaction of business.

Proposed law provides that the presence of at least 40% of the total number of commissioners shall constitute a quorum for the transaction of business.

Present law provides that the executive director, with the concurrence of the commission, may hire such staff and other personnel as may be necessary to carry out the directions and instructions of the commission and do other acts as may be directed or authorized by the commission.

Present law provides that the commission shall:

- (1) Present and further the interest of the individual homeowners in the area to aid in the preservation of property values and to improve the character and integrity of individual residential neighborhoods.
- (2) Educate and inform member neighborhood organizations and associations on matters and issues of general interest.
- (3) Participate in planning and improvement.
- (4) Participate with community-based organizations which seek to improve the community environment.

Proposed law retains present law but changes "shall" to "may."

Present law provides that the executive director, with the concurrence of the commission, may hire such staff and other personnel as may be necessary to carry out the directions and instructions of the commission and do other acts as may be directed or authorized by the commission.

Proposed law retains present law but gives such authority to the executive board of the commission.

Proposed law provides that no parish or municipal commission or governing authority shall zone or change an existing zoning as to any property within the area without giving notice to the commission officers at least 15 days prior to the date set for public hearing.

Proposed law provides that the governing authority, mayor, or applicable agency, department, board, commission, or other entity of local or state government shall provide notice to the commission officers upon receipt of any application for building permits for multi-family developments, commercial developments or large developments within the area.

Present law provides that the governing authority, mayor, or applicable agency, department, board, commission, or other entity of local or state government shall provide at least 30 days written notice to the commission officers of any intent to acquire or dispose of immovable property in the area or any intent to change the use of property owned or leased by the respective governmental entity in the area.

Proposed law retains present law but changes the minimum notice requirement from 30 days to 15 days.

Proposed law provides that all notices shall be sent either by email, facsimile, or certified mail to the commission's office.

Proposed law provides that each local or state agency, department, board, or commission, prior to transmitting to the governing authority or other respective governmental entity any proposed revenue bond issuance, or before the formation of any final policy decision, or guidelines with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvements, the parish budget and goals and priorities, proposed changes in local or state government services delivery, and opening of any proposed specialty systems, shall provide at least thirty day advance notice of the proposed action to each commission officer.

Present law provides that the views of the commission shall be presented only by an officer of the commission or by a commission representative duly selected at a public meeting by the commission to represent its view on the particular issue or proposed action.

Proposed law provides that views of the commission shall only be presented by an officer of the commission.

Effective August 15, 2009.

(Amends R.S. 33:9100.1, 9100.3(A), 9100.4(B), 9100.5, 9100.6(A), 9100.7(A), and (C), and 9100.11; adds R.S. 33:9100.9(E); repeals R.S. 33:9100.10)

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Thomas F. Wade, Director  
Legal Affairs Division